

Message Text

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C O N F I D E N T I A L WARSAW 2572

E.O. 11652: GDS
TAGS: CSCE CGEN CVIS SHUM PL US
SUBJ: FURTHER COMMENTS ON POLISH "NON-PAPER" ON THREE DIVIDED
FAMILY CASES AND CASE LOAD STATISTICS

REF: (A) STATE 079050, (B) WARSAW 2407, (C) WARSAW 2323,
(D) STATE 052796

1. WE SHARE THE DEPARTMENT'S CONCERN ABOUT THE POLISH PERFORMANCE ON THE SUBJECTS OF DIVIDED FAMILIES AND FREEDOM OF MOVEMENT SINCE THE PRESIDENT'S VISIT TO POLAND. WE HAVE FURTHER COMMENTS ON DIRECTOR SZEWCZYK'S "NON-PAPER", HANDED TO THE DCM ON MARCH 20 (REF C).

2. THE OFFER THE POLES ARE MAKING IN THE MARIA KOTLARZ CASE - TO PERMIT BOTH HUSBAND AND WIFE TO LEAVE ON POLISH PASSPORTS - DOES NOT SEEM TO BE WORTH MUCH. THE MARRIAGE IS APPARENTLY IN DISSOLUTION, AND THERE IS LITTLE REASON TO BELIEVE THAT MRS. KOTLARZ WOULD EITHER PETITION FOR IMMEDIATE RELATIVE STATUS FOR HER HUSBAND OR THAT HE WOULD WANT TO LIVE WITH HER IN THE U.S.

3. FURTHER, WE ARE RELUCTANT TO BROACH THIS POSSIBILITY WITH THE KOTLARZ FAMILY NOW BECAUSE OF OUR CONCERN WITH THE PRINCIPLE INVOLVED IN THE STOESSEL-SPASOWSKI EXCHANGE. WE PREFER TO AWAIT THE RESULTS OF L'S REVIEW OF THIS EXCHANGE (REF D) BEFORE WE GIVE UP PRESSING FOR ITS APPLICABILITY TO THE KOTLARZ CASE.

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4. WE HAVE DISCUSSED THE MATTER OF CHILD SUPPORT PAYMENTS WITH MR. AND MRS. BIEGUNSKI, WHO SAY THEY ARE PREPARED TO PAY THE NECESSARY MONEY. HOWEVER, THEY SAY THEY ARE RECEIVING CONTRADICTORY AND CONFUSING INFORMATION ON HOW TO PROCEED UNDER POLISH LAW. WE WILL DISCUSS THIS SUBJECT WITH THE MFA'S CONSULAR DEPARTMENT AND ASK THAT THE BIEGUNSKIS BE GIVEN PROMPT AND CLEAR

INSTRUCTIONS ON WHAT STEPS THEY SHOULD TAKE TO GET THEIR PROBLEM SETTLED.

5. THE POLISH RESPONSE ON THE KENNEDY-STROJEK CASE REMAINS TOTALLY UNSATISFACTORY.

6. FINALLY, THE POLISH STATISTICS ON THE EMBASSY'S LISTS OF HARDSHIP CASES REQUIRE FURTHER COMMENTS:

(A) 41 REPRESENTED CASES HAVE BEEN ISSUED POLISH PASSPORTS.

(B) ONE PERSON HAS INFORMED US THAT THE FAVORABLE DECISION COMMUNICATED TO US BY THE MFA HAS NOT BEEN RECEIVED BY THE LOCAL POLICE AUTHORITIES. WE WILL RAISE THIS WITH THE MFA'S CONSULAR DEPARTMENT.

(C) AT LEAST 25 OUT OF THE 51 FAMILIES WHO REPORTEDLY TOLD THE POLISH AUTHORITIES THAT THEY ARE NOT INTERESTED IN LEAVING FOR THE UNITED STATES HAVE INFORMED US SINCE THEN THAT THEY DO WISH TO EMIGRATE. (WE WILL INFORM THE MFA OF THESE CASES.)

(D) THE POLISH "NON-PAPER" CONCENTRATED ON THE 116 HARDSHIP NUCLEAR CASES PRESENTED TO THE FOREIGN MINISTER AND VICE MINISTER SPASOWSKI BY AMBASSADOR DAVIES IN AUTUMN, 1977. IT IGNORES THE OTHER 52 NUCLEAR CASES REPRESENTED, THE 900-ODD NON-NUCLEAR CASES, AND THE FACT THAT REFUSALS OF POLISH PASSPORT FACILITIES HAVE REGULARLY OCCURRED SINCE OCTOBER, 1977, WHEN THE LAST DIVIDED FAMILIES LIST WAS GIVEN TO THE MFA. (WE WILL HAND IN A NEW LIST WITH ABOUT 75 CASES IN THE NEAR FUTURE.)

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7. COMMENT: IT SEEMS TO US THAT THE POLES NEED TO BE REMINDED THAT THE DIVIDED FAMILY/FREEDOM OF MOVEMENT ISSUE WAS NOT SOLVED BY THE RELATIVELY FEW CASES APPROVED IN DECEMBER, 1977. WE WILL SUBMIT OUR THOUGHTS ON WHAT CAN BE DONE ON THIS SHORTLY. END COMMENT.
SCHAUFLE

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